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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,933	12/31/2001	Tommy Kristensen Bysted	1076.41046X00	5897

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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/029,933

Applicant(s)

BYSTED ET AL.

Examiner

Raymond S Dean

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Vedrine (US 6,707,808 B1).

Regarding Claim 1, Vedrine teaches a method of wirelessly transmitting data signals to one of a plurality of mobile stations, each of which can sense the transmitted signal, the method comprising: allocating a locally unique code to a destination mobile station (Column 5 lines 27 – 67); and transmitting a radio block, comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 67), wherein said code is included in each of said bursts at a predetermined location therein (Column 5 lines 27 – 67).

Regarding Claim 2, Vedrine teaches all of the claimed limitations recited in Claim

1. Vedrine further teaches wherein said location is static (Column 5 lines 35 – 38, the header is a static location).

Regarding Claim 3, Vedrine teaches all of the claimed limitations recited in Claim

1. Vedrine further teaches transmitting a further radio block, comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 67), wherein said code is included in each of said bursts at another predetermined location therein to indicate that said mobile station may transmit in the next uplink radio block (Column 5 lines 27 – 67, Column 6 lines 14 – 16).

Regarding Claim 4, Vedrine teaches a method of operating a mobile station for the reception of data signals, the method comprising: receiving a locally unique code; receiving a burst of a radio block, the radio block comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 67); and extracting a code from a predetermined location in said burst and decoding said radio block if the extracted code matches said locally unique code (Column 5 lines 27 – 67).

Regarding Claim 5, Vedrine teaches all of the claimed limitations recited in Claim

4. Vedrine further teaches transmitting a radio block comprising a plurality of bursts; each burst containing said extracted code in a predetermined location (Column 5 lines 27 – 67, Column 6 lines 66 – 67, Column 7 lines 1 – 15, a burst containing the TFI is inherent in this system).

Regarding Claim 6, Vedrine teaches all of the claimed limitations recited in Claim

4. Vedrine further teaches a mobile station including receiving means and processing means (Column 5 lines 27 – 67, in order for the mobile station to perform these

functions said mobile station must have a receiving and processing means thus this is an inherent characteristic).

Regarding Claim 7, Vedrine teaches all of the claimed limitations recited in Claim 5. Vedrine further teaches a mobile station including receiving means and processing means (Column 5 lines 27 – 67, Column 7 lines 1 – 15, in order for the mobile station to perform these functions said mobile station must have a receiving and processing means thus this is an inherent characteristic).

### ***Conclusion***

3. Any inquiry concerning this communication should be directed to Raymond S. Dean at telephone number (703) 305-8998.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology center 2600 only)

Hand –delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
**NICK CORSARO**  
**PATENT EXAMINER**

